

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LAURA WILLINGHAM,

Plaintiff,

v.

HOBBY LOBBY STORES INC.,

Defendant.

C.A. NO.

NOTICE OF REMOVAL PURSUANT TO 28 U.S.C. § 1441

The Defendant, Hobby Lobby Stores, Inc. (“Hobby Lobby”) files this Notice of Removal to the United States District Court for the District of Massachusetts from Plymouth Superior Court, Plymouth County, Trial Court of the Commonwealth of Massachusetts, and states the following in support of this Notice of Removal:

1. The Plaintiff, Laura Willingham (hereinafter the “Plaintiff”) is an individual who resides in Halifax, Plymouth County, Massachusetts. The Plaintiff filed a civil action against Hobby Lobby in Plymouth Superior Court, Plymouth County, Trial Court of the Commonwealth of Massachusetts, Civil Action No. 2283CV00221, entitled *Laura Willingham v. Hobby Lobby Stores, Inc.* (the “Action”).

2. This Notice of Removal is filed in the United States District Court for the District of Massachusetts within the time allowed by law for removal of civil actions. The documents attached hereto as **Exhibit A** constitute all of the process and pleadings served upon Hobby Lobby to date.

3. This Action is removable to this Court pursuant to 28 U.S.C. §1441(b), because the Plaintiff is domiciled in Massachusetts, and Hobby Lobby's principal place of business is in Oklahoma City, OK. As such, diversity of citizenship exists between the parties.

4. The Plaintiff claims substantial injuries and extensive treatment thereof, including but not limited to a serious head injury and related emotional distress. If believed, those damages are likely to exceed \$75,000. Specifically, Plaintiff's Civil Action Coversheet as filed with Plymouth Superior Court alleges \$92,074.78 in damages stemming from "serious personal injury, great pain and suffering, mental anguish, and medical expenses."

5. This Notice of Removal is being filed within thirty (30) days of Hobby Lobby's receipt of the first document(s) from which it was able to ascertain that this case is one which has become removable in accordance with 28 U.S.C. §1446(b)(3).

6. A notice of the filing of this Notice of Removal and a true copy of this Notice of Removal will be filed with the Clerk of Plymouth Superior Court, Plymouth County, Trial Court of the Commonwealth of Massachusetts, as required by 28 U.S.C. §1446(d).

7. Pursuant to Local Rule 81.1(A), Hobby Lobby shall request of the Clerk of the Plymouth Superior Court, Plymouth County, Trial Court of the Commonwealth of Massachusetts, certified or attested copies of all records and proceedings in the state court and certified or attested to copies of all docket entries therein, and shall file the same with this Court within thirty (30) days after filing of this Notice of Removal.

WHEREFORE, the Defendant Hobby Lobby prays that said action now pending in the Plymouth Superior Court, Plymouth County, Trial Court of the Commonwealth of Massachusetts be removed therefrom to the United States District Court for the District of Massachusetts.

Respectfully submitted,

HOBBY LOBBY STORES, INC.

By Its Attorneys,

/s/ Sean F. McDonough

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 10, 2022

/s/ Christopher J. Grimaldi

Christopher J. Grimaldi